

Response to Office Action dated December 4, 2008

U.S. Patent Application Ser. No. 10/596,298

Inventor(s): Berger et al.

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**In the Claims:**

1. (Currently Amended) A percussion and/or drill hammer, comprising:

- a hammer housing in which at least a part of a drive mechanism and a percussion mechanism are situated,
- a handle device that is capable of movement relative to the hammer housing in a working direction (A), and on which at least one handle is provided, and
- a guide device for the linear guiding of the handle device relative to the hammer housing, wherein the guide device has a rolling element device that is disposed between the hammer housing and the handle device, that allows relatively uninhibited movement of the hammer housing handle device relative to the handle device housing in the working direction (A), and that inhibits lateral and rotational movement between the guide device and hammer housing and the handle in directions other than the working direction (A).

2. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein the guide device is provided laterally on the hammer housing, in relation to the working direction (A).

3. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein

- the handle device surrounds the hammer housing at a distance, so that an intermediate space is formed, and in that
- the guide device is situated in the intermediate space between the hammer housing and the handle device.

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4. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein the rolling element device ensures a defined spring characteristic transverse to the working direction (A) in such a way that the handle device is capable of limited movement relative to the hammer housing transverse to the working direction (A).

5. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein the rolling element device has rolling elements that are one of i) fastened to the handle device so as to rollably cooperate with guide tracks provided on the outside of the hammer housing and, ii) fastened to the hammer housing so as rollably cooperate with guide tracks provided on the inside of the handle device.

6. (Previously Presented) The percussion and/or drill hammer as recited in Claim 5, wherein the roller elements are each held against the guide tracks with a defined force by one of a spring device and by the elastic effect of the handle device.

7. (Previously Presented) The percussion and/or drill hammer as recited in Claim 5, wherein the rolling elements have a defined spring characteristic, and thus a deformability in their radial direction.

8. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein a longitudinal spring device is provided that acts in the working direction (A) between the hammer housing and the handle device.

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9. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein the extension of the hammer housing in the working direction (A) is greater than in a direction transverse to the working direction (A).

10. (Previously Presented) The percussion and/or drill hammer as recited in Claim 5, wherein a portion of the housing extends in the working direction (A) and has an outer cross-sectional shape that does not change.

11. (Previously Presented) The percussion and/or drill hammer as recited in Claim 10, wherein the guide tracks are provided in the portion of the housing having the outer cross-sectional shape that does not change.

12. (Previously Presented) The percussion and/or drill hammer as recited in Claim 10, wherein the percussion mechanism is situated in the portion of the housing having the outer cross-sectional shape that does not change.

13. (Previously Presented) The percussion and/or drill hammer as recited in Claim 10, wherein the outer cross-sectional shape corresponds essentially to a prismatic shape, and wherein at least one of the rolling elements grasps an edge of the prismatic shape.

14. (Previously Presented) The percussion and/or drill hammer as recited in Claim 1, wherein the handle device is fashioned as a handle cover that surrounds at least a part of the hammer housing.